REMARKS

Claims 1-27 are pending in the instant application. Claims 1, 10, and 19 are independent claims, and claims 2-9, 11-18, and 20-27 depend, respectively, from independent claims 1, 10, and 19. The Applicants believe that the claims define patentable subject matter in light of the following remarks.

Applicant respectfully traverse the Office's argument that claims 1-27 should be rejected under 35 U.S.C. § 103(a) as being obvious in view of Walker et al., US Patent 6,088,686 (Walker). More particularly, Applicants assert (and the Office concedes) that the Walker reference does not disclose or suggest a credit management system that utilizes a web server. Moreover, the Walker reference does not teach or suggest allowing the buyer to determine his creditworthiness on-line by using a web server that automatically communicates the results of the buyer's credit analysis automatically, in real time, to the buyer's computer. (*See* at least the following claim limitations from the independent claims: (1) "one of the first web server or a second web server automatically communicating in real time an approval of the credit application to the buyer's computer if the credit application meets the at least one credit approval criterion" from claim 1; (2) "automatically communicating in real time an approval of the credit application to the buyer's computer that generated the credit application if the credit approval engine determines that the credit application meets the at least one credit approval criterion" from claim 10; and (3) "communicating, automatically in real time by the web server to the buyer's computer, an approval of the application if the credit approval engine determines that the credit application meets the at least one credit approval criterion" from claim 19).

The Office has argued that it would have been obvious to modify the system disclosed in Walker to come up with Applicants' invention, and furthermore, that Walker's credit application process may be completed in real-time. Applicants respectfully disagree with the Office's position.

As previously noted, the Walker reference discloses a method for a bank employee to determine a client's creditworthiness on-site. Thus, to utilize the Walker system, the buyer must go through the hassles and delay associated with having to travel to the bank, waiting in line for a local branch representative (LBR) and then interacting with the representative. During such

-9-

interaction, the customer provides the LBR with personal information, from which the LBR is able to obtain a preliminary, conditional credit approval on-line:

> According to the present invention, specifically for credit requests, the system immediately analyzes an applicant's credit bureau history, automated credit scoring, credit policies and the applicant's new or existing relationship with the financial institution, if any, and provides these results to the LBR in a summarized format. This feature enables the LBR the ability to provide applicants with an **up-front automated conditional approval, subject to required verifications.**

(Walker at col. 2, lns. 15-23; *see also* the Abstract) (emphasis added). Before the approval is final, though, the Walker system requires that the LBR review this preliminary credit approval to determine whether to offer enhanced services that may not have been requested by the customer:

> [B]y identifying an applicant as potentially credit worthy for a variety of other products that the applicant has not requested, the LBR can offer a more attractive package of products to the applicant that will enhance the service and potentially the pricing being provided. This feature enables the LBR to target his or her efforts to those applicants to which the financial institution can offer a full range of services and benefits, above and beyond those requested by the applicant . . . **Thus, the system and method of the present invention provide the capability to incorporate into automated response processing resulting up-sells or counter-offers, as they relate to the applicant's credit request. As a result of the present invention this capability is now available at the local branch, which heretofore was not possible.**

(*Id.* at col. 2, lns. 30-54) (emphasis added). In addition, the LBR is allowed to review the application to determine whether to override a negative credit decision:

> This feature provides an efficient methodology for LBRs 12 to identify those applicants 10 to which the LBRs should not offer checking accounts due to unmatched social security numbers or non-existing social security numbers, derogatory credit behavior, etc., unless the LBRs are appropriately entitled to override . . . For qualified applications, the LBR 12 is allowed to open checking accounts immediately. For non-qualified applications, the LBR 12 is presented with override screens with appropriate entitlement or rejection options, based on systemic credit criteria.

(*Id.* at col. 10, ln. 63 – col. 11, ln. 7.) Thus, the Walker reference discloses making a automated, preliminary credit review that is conditional on other acts that must be completed by a LBR. Given this required human interaction, it would not have been obvious to one of ordinary skill in

the art to modify the Walker reference to come up with Applicants' completely automated system.

Because the Walker reference does not disclose or suggest the following claim limitations, Applicants assert that each of the independent claims are allowable over the Walker reference for this reason alone:

- "one of the first web server or a second web server automatically communicating in real time an approval of the credit application to the buyer's computer if the credit application meets the at least one credit approval criterion" from claim 1;

- "automatically communicating in real time an approval of the credit application to the buyer's computer that generated the credit application if the credit approval engine determines that the credit application meets the at least one credit approval criterion" from claim 10; and

- "communicating, automatically in real time by the web server to the buyer's computer, an approval of the application if the credit approval engine determines that the credit application meets the at least one credit approval criterion" from claim 19.

The Office's last action also stated that "A 'buyers' computer would not preclude a bank customer being a financial institutions computer during the application process." While Applicants are not exactly certain what this sentence means, Applicants are certain that the Walker reference also does not disclose or suggest a system that allows the buyer to generate the credit application using the buyer's own computer, as currently claimed. Thus, the present invention allows the buyer to complete his credit analysis on his own terms and without requiring the buyer to travel to the bank for a credit check. Accordingly, Applicants assert that the present invention differs from the Walker reference for this reason as well.
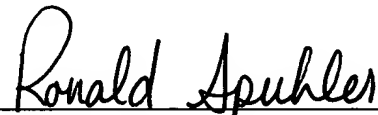
Based on at least the foregoing, the Applicants believe that claims 1-27 are in condition for allowance. If the Examiner disagrees or has any question regarding this submission, the Applicants request that the Examiner telephone the undersigned at (312) 775-8000.

A Notice of Allowance is courteously solicited.

Respectfully submitted,

Dated: September 6, 2005

By: _Ronald Spuhler_

Ronald H. Spuhler
Reg. No. 52,245

McAndrews, Held & Malloy, Ltd.
500 West Madison Street - Ste. 3400
Chicago, Illinois 60661
(312) 775-8000